

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

GEORGE VASQUEZ,	:	
	:	
Petitioner,	:	Civil No. 09-2593 (KSH)
	:	
v.	:	
	:	
LARRY GLOVER, et al.,	:	O R D E R
	:	
Respondents.	:	

IT APPEARS THAT:

1. On May 27, 2009, Petitioner filed a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254. On July 10, 2009, this Court issued an Order pursuant to Mason v. Meyers, 208 F.3d 414 (3d Cir. 2000), to notify Petitioner of the consequences of filing such an application under the Antiterrorism and Effective Death Penalty Act ("AEDPA") and to give Petitioner an opportunity to file one all-inclusive § 2254 Application (docket entry 5).

2. On July 20, 2009, Petitioner wrote a letter to the Court choosing "Option B;" that is, to "withdraw your pending § 2254 Application and file one all-inclusive § 2254 Application subject to the one-year statute of limitations." (Docket entry 7). Petitioner then filed a Motion Requesting Discovery (docket

entry 9). On September 11, 2009, Petitioner again wrote a letter to this Court stating that he wished to withdraw his petition pursuant to the Mason order, choosing Option B (docket entry 11).

3. However, on December 9 and 14, 2009, Petitioner filed a document construed as a Notice of Appeal, stating that his petition had been denied, which was not the case. Rather, Petitioner had requested that his case be withdrawn.

4. Because of the confusion, this Court will resend the Mason Order, and give Petitioner the required time to respond to decide if he wishes this Court to rule on his petition as filed (Option A), or if he wishes to withdraw his petition and file one all-inclusive petition with all issues he intends to raise (Option B).

IT IS therefore on this 5th day of January, 2010,
ORDERED that the Clerk of the Court shall resend a copy of the Mason Order (docket entry 5) to Petitioner along with a copy of this Order; and it is further

ORDERED that Petitioner will have 45 days from the entry of this Order to file with the Clerk a signed letter or other written response advising the Court how he would like to proceed; and it is further

ORDERED that, if Petitioner does not file a signed response choosing one of the above options within 45 days of the entry of

this Notice and Order, then the Court will rule on the original petition (docket entry 1) as it was filed.

A handwritten signature in black ink, appearing to read "K. S. Hayden", written in a cursive style.

KATHARINE S. HAYDEN
United States District Judge